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BREMERTON-KITSAP CO.
DEPT. OF PUBLIC HEALTH

FIVE/10 BUILDING
510 WASHINGTON AVENUE
BREMERTON, WASHINGTON 98310
TELEPHONE 373-5079
AREA CODE 206

November 18, 1977

Mr. J. A. Weigel, R.S.
Director of Environmental Health
Bremerton-Kitsap County Health Dept.
109 Austin Drive
Bremerton, Washington 98310

Re: Ames Disposal Site
Bremerton Auto Wrecking

Dear Mr. Weigel:

Michie King returned from a trip on the evening of November 15 and at that time first became aware of your letter dated November 4. I have now gone over the letter in some detail with him and would like to make some comments in response to it.

First of all, we would like to thank you and Ron Franz for the meeting that we held in the prosecutor's office on October 13. Your candidness during that meeting, in which you indicated that you could not find that the operating procedures of the Ames facility constituted a health hazard, was appreciated. As a result of that meeting, it was our impression that the operation could stay open for a period of one month during which time you and Ron Franz would furnish a list of corrections to be made with respect to future operating procedures. I assume that the letter of November 4 is for the purpose of fulfilling that part of our understanding.

I shall attempt to meet the points of your letter of November 4 in the same order in which they were presented and for ease of future reference, I have numbered each point.

1. You indicated that the application made in 1974 should be updated with respect to Leachate control, confinement of unloading, visual monitoring when open to the public, and the method of coverage as outlined in 6.23, 6.24, and 6.25 of Resolution 2-1973.

(a) Leachate control is maintained in two

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To: Mr. J. A. Weigel, R.S.
Page Two
November 18, 1977

ways: first, putrescible waste which would be most likely to produce contaminates through leachate action is not allowed; and second, compaction minimizes the amount of surface water percolating through the solid waste and a tight line is provided in the bottom of the old ravine preventing any water which does percolate through from getting into the intermittent stream flowing through the culvert. I note on page 47 of the Comprehensive Land Waste Management Plan that the Ames Disposal Site is discussed and that it is stated, "The creek is culverted through the landfill area and the water downstream is checked periodically for contaminates. To date, tests have shown no deterioration in water quality standards." Mr. King would be willing to set up a test program to determine if suspended contaminates exist and to install any reasonable safeguards to prevent the addition of contamination to the intermittent stream below the site.

(b) Confinement of unloading is exercised by control of accessibility to the dump area by means of barriers and directional signing to the area set aside for solid waste disposal.

(c) Visual monitoring when the site is open to the public is accomplished by an employee at the entrance who checks with respect to the type of solid waste and the size of the load and who gives directions to the unloading area. In addition, employees also visit the unloading site itself several times daily and another person (not an employee but one who has made an agreement to do so) directs on-site dumping and assists in keeping the public from scavenging.

(d) The method of coverage appears to meet the requirements of Sections 6.23, 6.24 and 6.25 of Resolution 2-1973. Each layer of incoming solid waste is spread on slopes averaging between 15 and 30 degrees and is covered with surrounding fill material at least six inches deep. In the past, coverage has been approved by the health officer with several days between coverage and compaction due to the extremely low amount of putrescible solid waste which might inadvertently be dumped and the absence of bad odors, rats, seagulls, and other animals or indications of unhealthy conditions. The final lift has not been reached, but will be done in accordance

To: Mr. J. A. Weigel, R.S.
Page Three
November 18, 1977

with Section 6.25 of Resolution 2-1973. Compaction is done with a HD 21 Crawler Tractor weighing over 80,000 pounds.

2. You indicated that it is the desire of the county commissioners that the site be used for demolition waste, bulky waste, and other trash with a minimum of putrescible wastes, and that food waste from individuals should not be accepted. All reasonable effort is made to prevent the dumping of putrescible or food waste and it is fully agreeable that the site be dedicated to the disposal of demolition waste, bulky waste and other trash.

3. You indicated that on June 13, 1977, a letter was sent to all operators of non-conforming sites. I again wish to bring to your attention that Mr. King did not receive that letter if it was sent to him and was not advised of its contents until our meeting on October 13 in the prosecutor's office. Your apology in this regard at that time is much appreciated. You indicate that WAC 173-301-610 asked for a program of compliance and you wanted an indication as to intention and time necessary to have the site in compliance with regulations.

I can advise you that Mr. King fully intends to comply with all applicable regulations. Any areas where non-compliance is found and identified shall be corrected with reasonable diligence. Many regulations refer to the discretion of the health officer, which is assumed to be involved so as to allow for the variables of a particular site in order to achieve the ultimate objective of meeting the need for disposal of solid waste without constituting a health hazard. In the past, the site has been operated with what Mr. King understood to be full compliance within the exercise of the health officer's discretion because, as you indicated in the prosecutor's office, the site did not constitute a health hazard. It is respectfully requested that any particular conditions warranting remedial action be identified and a reasonable time and method of compliance may then be established. In the absence of such identification we are at a loss to advise you as to what remedial action will be taken and how long it will take. I realize that your position is stated on the top of page two of your letter that the Health Department is not in a position to suggest methods of operation of sanitary landfills

To: Mr. J. A. Weigel, R.S.
Page Four
November 18, 1977

and that you will review and comment on plans of operation which are submitted to you. Nevertheless, Mr. King should have the benefit of your wisdom as to what parts of his operation are not in compliance so that he might prepare a plan of operation to submit to you for your perusal and acceptance. This is especially important in view of the discretion you have in enforcing the regulations.

4. You indicate that because the site is to be phased out and closed in accordance with the Kitsap County Solid Waste Management Plan, an agreement between the operator and the county should be reached as to when this shall take place and which should be incorporated into the compliance schedule. The Kitsap County Solid Waste Management Plan provides for continued use of the Ames Disposal Site until it is full and then that it be closed. It was estimated that this would have occurred by 1973 at the filling rate currently going on when the solid waste plan was prepared. At that time the site was receiving Navy refuse, which it does not now receive and which is part of the explanation as to why this site did not fill as quickly as had been anticipated. In keeping with the objective of the plan, the site should be filled to a grade level matching adjacent terrain so that it will be useful for subsequent development for other purposes and not left in a useless state. An agreement to close the site upon becoming full in accordance with the comprehensive plan is fully acceptable. Definition of what constituted "full" as being at grade level, rather than mounding, is also quite acceptable.

5. You indicate that there is a question as to whether the operation is being conducted in accordance with the rezone and use permit issued by the county in 1968. You further indicate that in accordance with Section VI, paragraph 6.02 (2), this must be determined and submitted as part of the plan of operation or application for permit. There may be a typographical error in your letter, as I could find no paragraph 6.02 (2). The intent of your comment is quite clear, however. You did furnish us on October 13 with a copy of a letter to you from Mr. Robert Alire, the county zoning inspector, who advised you that in his opinion the site did not adhere to the site plan specifications approved by the Board of Adjustment. Mr. King acquired the site after

To: Mr. J. A. Weigel, R.S.
Page Five
November 18, 1977


the Board of Adjustment decision, and was of the impression that when he submitted the additional data prepared by Mr. Robert Smiley in 1974 on the Department of Ecology application form and was thereafter issued a permit, he was operating completely in accordance with all applicable rules and regulations. I have made an appointment with Mr. Alire to discuss with him in some detail the alleged non-compliance. I will then be in a position to more fully answer this particular point, and perhaps we can mutually arrive at a decision as to compliance and what must be done if there is non-compliance.

I believe that the foregoing discussion answers the points that you raised in your letter of November 4. I would assume that the contents of this letter could be incorporated as an amendment to the 1974 application submitted by Mr. King. If it is necessary, a new application might be filed, but we hope that is not necessary in view of the "updating" which this letter attempts to do.

Thank you for the EPA publication on sanitary landfill design and operation and a copy of the Minimum Functional Standards of the Department of Ecology. I plan to get back in touch with you after I have had my discussion with Mr. Robert Alire, which should be in the very near future.

Thank you for your assistance and cooperation.

Yours very truly,


Philip M. Best

PMB:1mm
cc: Mr. Earl M. King
Mr. Ronald Franz
Board of County Commissioners